

ORDER:
Motion granted.


E. Clifton Knowles
U.S. Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)
)
Plaintiff,) No. 3:09-cv-00445
) Judge Wiseman
v.) Magistrate Judge Knowles
)
JAMES W. CARELL, et al.,)
)
Defendants.)

**PLAINTIFF UNITED STATES' MOTION TO SUBSTITUTE
A PARTY FOR DECEASED DEFENDANT ROBERT VINING**

The United States respectfully moves the Court to permit it to substitute a party for the deceased Defendant Robert Vining. Federal Rule of Civil Procedure 25(a)(1) provides that “[i]f a party dies and the claim is not extinguished, the court may order substitution of the proper party.” Fed. R. Civ. P. 25(a)(1). Here, a suggestion of death has been filed stating that Defendant Robert Vining is now deceased and that Elizabeth Vining is the personal representative for his estate. (Doc. No. 202). Accordingly, the United States asks the Court to substitute Elizabeth Vining, as Personal Representative of the Estate of Robert B. Vining, Jr., for the deceased Defendant Robert Vining.

Respectfully submitted,

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